

REPORT

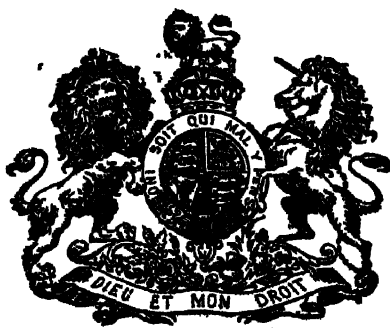
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ON THE

WORKING OF THE REGISTRATION DEPARTMENT IN THE PROVINCE OF ASSAM

FOR THE

Triennium ending the year 1919.



SHILLONG:

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No. 582R.

FROM

G. C. KERWOOD, Esq., I.C.S.,
OFFG. INSPECTOR GENERAL OF REGISTRATION, ASSAM,

To

THE SECOND SECRETARY TO THE CHIEF COMMISSIONER
OF ASSAM.

Dated Shillong, the 26th April 1920.

SIR,

I HAVE the honour to submit the following Report on the administration of the Registration Department for the three years ending the 31st December 1919. Four Imperial and one Provincial statements are enclosed.

Unless otherwise stated, comparisons are made with the preceding triennium.

2. Mr. S. N. Mackenzie, I.C.S., held charge of the Department from the 1st January 1917 to the 2nd October 1918, Mr. W. L. Scott, I.C.S., to the 23rd January 1919, Mr. S. N. Mackenzie, I.C.S., to the 22nd November 1919, and Mr. B. C. Allen, I.C.S., to the end of the year 1919.

3. The number of offices increased from 39 to 41. Experimental offices were opened at Bhangabazar and Nabiganj in the district of Sylhet: ultimately a permanent office was opened at Bhangabazar. The number and constitution of the offices at the end of the triennium were as follows:—

Whole-time offices permanent	...	...	...	...	26
Ditto temporary	...	...	...	...	1
Ex-officio offices	...	...	...	...	14
Total					41

4. A Special Sub-Registrar and a Sub-Registrar died, and a Special Sub-Registrar retired.

Changes in staff.

5. The Additional District Magistrate of Sylhet was appointed Registrar of that district. The pay of the Special Sub-Registrars was revised from Rs. 175—5—250 to Rs. 180—10—250 and the cadre of Sub-Registrars was re-adjusted.

6. The following statement gives the results of the working of the Department

Brief summary of results, total registrations (Form I). for the last 12 years:—

• —	Number of registrations.				Total receipts.	Total expenditure.	Surplus.	Number of registration offices (average).
	Affecting immovable property.		Other registrations.	Total.				
	Compulsory.	Optional.						
1	2	3	4	5	6	7	8	9
					Rs.	Rs.	Rs.	
Total for the years 1908-10	1,69,155	14,771	24,811	2,08,287	2,68,027	1,98,979	64,048	36
Total for the years 1911-13	1,86,529	16,630	22,348	2,25,507	2,81,172	1,70,540	1,10,633	37
Total for the years 1914-16	2,28,126	18,605	21,738	2,68,469	3,26,238	1,92,773	1,33,465	39
Total for the years 1917-19	2,22,986	21,981	19,588	2,63,955	3,05,887	2,09,970	95,917	40

7. The variations in the number of documents registered under the main heads and their percentages of increase or decrease in the triennium under report, as compared with the previous triennium, and in the year 1919 as compared with the year 1918 are shown in the following table:—

	The triennium 1914-16 as compared with the triennium 1917-19.		The year 1919 as compared with the year 1918.	
	Increase or decrease.	Percentage.	Increase or decrease.	Percentage.
1	2	3	4	5
Sales of immovable property, both compulsory and optional.	+8,389	+6.72	+19,143	+53.35
Mortgages of immovable property, both compulsory and optional.	+589	+1.02	+12,792	+97.49
Perpetual leases	—40	—2.58	—207	—32.50
Term leases, both compulsory and optional...	—7,068	—15.81	—2,503	—20.06
Obligations for payment of money ...	—917	—23.00	+148	+18.40
Sales of movable property	+74	+10.81	—37	—13.17
Miscellaneous registrations in Book IV ...	—936	—5.82	+10	+20

In the Assam Valley Division the total number of registrations increased from 31,111 to 33,059 and their aggregate value from Rs. 1,07,88,598 to Rs. 1,29,01,918. The most noticeable increases occurred in the case of compulsory registrations of instruments of sale of the value of Rs. 100 and upwards, and of other instruments registered under section 17 (b) and (c) of the Registration Act and of optional registrations of instruments of mortgage. On the other hand, the number of compulsory registrations of instruments of mortgage and of instruments of lease other than perpetual leases diminished. The total number both of compulsory and of optional registrations increased.

In Cachar the total number of registrations fell sharply from 42,663 to 36,162 and their aggregate value from Rs. 82,30,892 to Rs. 62,56,763. A curious feature of the statistics is that whereas compulsory registrations fell in number from 37,817 to 29,341 and in value from Rs. 74,89,938 to Rs. 52,77,716, optional registrations increased in number from 4,846 to 6,821 and in value from Rs. 7,40,954 to Rs. 9,79,048.

In Sylhet, where the bulk of the registration work is done, there was a slight increase in the number of registrations, from 1,93,923 to 1,93,983, but their aggregate value fell from Rs. 2,79,64,088 to Rs. 2,55,51,645. There was a large increase in the number of registrations of instruments of sale or exchange of a value less than Rs. 100 and a slight increase in the case of similar instruments of a value of Rs. 100 and upwards: apart from these instances the number of all other compulsory registrations decreased. The total number of optional registrations fell from 28,804 to 25,662 and their value from Rs. 38,29,977 to Rs. 31,26,685.

There is a small amount of registration work done in the Khasi and Jaintia Hills. It calls for no comment.

Operations other than Registrations (Form No. IV).

8. The number of miscellaneous operations decreased from 21,738 to 19,588.

9. The number of Muhammadan Registry offices increased from 35 to 40. The following table shows the number of ceremonies registered and the fees and gratuities realised during the last 6 years:—

	Ceremonies.	Fees and gratuities.
1	2	3
		Rs.
1914	6,585	9,339
1915	6,314	9,546
1916	5,893	7,974
1917	4,999	7,623
1918	6,011	9,584
1919	5,585	8,529

The permanent committee for the supervision of Muhammadan Registrars and Kazis, constituted in 1915 for a period of three years, was reconstituted in 1918. The non-official members remained the same: the Principal of the Sylhet Government Madrasah took the place of Khan Bahadur Maulvi Muhibuddin Ahmad, Extra Assistant Commissioner. It was held that travelling allowance was inadmissible and no inspections were made by the committee.

10. The table below gives the number of *kabinnamas* and *talaknamas* registered in Sub-Registry offices and the fees realised thereon during the past 6 years:—

Year.					Kabinnamas.	Talaknamas.	Fees.
1					2	3	4
							Rs.
1914	...	...	...	...	2,167	169	2,909
1915	...	...	...	...	2,362	146	4,235
1916	...	...	...	...	1,539	110	2,842
1917	...	...	...	...	1,803	113	2,874
1918	...	...	...	...	1,502	105	2,111
1919	...	...	...	...	1,901	122	3,035

11. The number of unclaimed documents fell from 9,084 to 7,435. Through the use of the procedure laid down in rule 61 of the rules under section 69 of the Act the number of these documents was reduced in the Sunamganj office from 1,037 to 89. The District Registrar of Sylhet reports that Sub-Registrars are being instructed to use their influence to prevail on parties to deposit the postal expenses. The number of unclaimed documents destroyed increased slightly.

Unclaimed documents.

12. The number of documents impounded increased from 973 to 1,036.

Prosecutions.

13. The number of prosecutions increased from 4 to 10

14. Appeals to District Registrars increased in number from 39 to 49: the number of appeals to Special Sub-Registrars was 712, a reduction of 148.

Appeals.

15. Receipts fell by 6.31 per cent. (Rs. 20,551) to Rs. 3,05,687. In 1919, however receipts were nearly 32 per cent. better than in 1918. There was an increase in 1919 in registration in all districts, and one may hope that this is a sign of a return to normal conditions.

Receipts (Form No. II).

16. Expenditure, excluding charges for superintendence, rose from Rs. 1,92,776 to Rs. 2,09,070. The amounts paid as salaries to Registering officers and their establishments increased, while the percentage paid to Registering officers and the cost of temporary establishment decreased. The opening of new offices and the destruction by fire of the South Sylhet office involved additional expenditure. The new offices at Bhangabazar and Nabiganj proved successful financially.

Expenditure (Form No. III).

17. The cadre of ministerial officers employed in Sylhet was revised. The pay of menials was raised to Rs. 8 a month. Steps were taken to check the unnecessary employment of extra-muharrirs.

Establishment.

18. The average time taken to complete registration did not, as a rule, exceed two days. In the Thakurbari, Jaldhup, Sukhair, Srimangal, Goalpara and Golaghat offices the period was sometimes longer. The first four of these offices are in Sylhet and the District Registrar attributes the delay to want of extra-muharrirs.

Average time taken to complete registration.

19. On the 30th March 1919 the South Sylhet Sub registry office was destroyed by fire. All the records and furniture were burnt except 2 pending documents which were with the Sub-Registrar. The Government of India excused a second payment of registration fees and stamp duty in respect of the destroyed documents.

Office buildings and records.

The District Registrar of Sylhet complains that the Patharkanli office is lodged in a thatched building, and that the Special Sub-Registrar's office space inadequate.

Projects for the reconstruction of the Bālaganj, Katigora and Madhabpur offices are pending allotment of funds.

20. The Inspector General inspected 7 Sadar and 16 rural offices in 1917, 7 Sadar and 11 rural offices in 1918 and 7 Sadar and 8 rural offices in 1919.

Inspection.

Inspections by District Registrars, Subdivisional Officers and Special Sub-Registrars were irregular. Most Subdivisional Officers seem to have lost sight of rule 14 at page 59 of the Registration Manual.

I have the honour to be,

SIR,

Your most obedient Servant,

G. C. KERWOOD,

Offg. Inspector General of Registration, Assam.

Statement of Instruments registered, and of the value of property transferred by registered Instruments, in each of the districts of the Province of Assam for the year 1919.

[illegible]

FORM No. I—*contd.*

Statement of Instruments registered, and of the value of property transferred by registered Instruments, in each of the districts of the Province of Assam for the year 1919.

REGISTRATIONS AFFECTING IMMOVABLE PROPERTY, BOOK I— <i>contd.</i>												REGISTRATIONS AFFECTING MOVABLE PROPERTY, BOOK IV.										Number of wills registered in Book III.					Number of written authorities to adopt registered, other than those conferred by wills, Book III.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
OPTIONAL— <i>contd.</i>												COMPULSORY.										Total of registrations in Book IV.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
Instruments of lease.	Amount of premium paid on leases.	Number.	Aggregate value.	Other instruments registered under section 15, clauses (a) and (b).	Number.	Aggregate value.	Miscellaneous registrations other than certified copies of decrees and orders of Court.	Number.	Aggregate value.	Certified copies of decrees and orders of Court.	Number.	Aggregate value.	Total of optional registrations relating to immovable property.	Aggregate value.	Number.	Instruments of gift of movable property (section 18, clause 2, of the Transfer of Property Act).	Aggregate value.	Number.	Instruments of sale, etc., of movable property [section 18, clause (d)].	Aggregate value.	Number.	Obligations for the payment of money [section 18, clause (f)].	Aggregate value.	Number.	All other documents registered under section 18, clause (f).	Aggregate value.		Number.	Total of registrations in Book IV.	Aggregate value.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
24	Rs. 26,335	35	Rs. 1,148	1	34	Rs. 1,760	...	2	1,760	...	211	Rs. 14,691	37,735	2	950	35	9,119	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	356	35

FORM No. II.

Statement of income, namely, fees realised on registrations and all other receipts in each of the districts of the Province of Assam during 1919.

[illegible]

FORM No. III.

Statement of Expenditure in each district of the Province of Assam for the year 1919.

District.	Fixed salaries of Registering Officers.	Percentage paid to Registering Officers.	COST OF ESTABLISHMENTS.			Other items of expenditure.	Total Expenditure.
			Permanent.	Temporary.	Total.		
1	2	3	4	5	6	7	8
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cachar	5,040	825	5,027	164	5,191	1,172	12,228
Sylhet	26,042	...	20,256	2,934	23,190	6,620	55,852
Khasi and Jaintia Hills ... ..	...	152	183	...	183	48	383
Total Surma Valley and Hill Districts.	31,082	977	25,466	3,098	28,564	7,840	68,463
Goalpara	982	...	816	120	936	414	2,332
Kamrup	741	...	766	20	786	123	1,650
Darrang ... ..	...	...	366	100	466	8	469
Nowgong ... ..	...	...	...	...	...	8	8
Sibsagar	830	...	1,566	95	1,661	76	2,567
Lakhimpur ... ..	...	...	383	42	425	121	551
Garó Hills ... ..	...	...	...	...	...	38	88
Total Assam Valley Districts...	2,553	...	3,902	377	4,279	783	7,615
Grand Total	33,635	977	29,368	3,475	32,843	8,623	76,078
Total for 1918	31,859	621	26,045	1,806	27,851	4,652	64,988
Total for 1917	31,614	1,150	26,911	2,657	29,568	5,677	68,009

FORM No. IV.

Statement of principal operations other than Registration in Books I, III and IV in each district of the Province of Assam for the year 1919.

District.	Covers containing Wills deposited (section 43).	Covers containing Wills withdrawn (section 44).	Covers containing Wills opened (section 45).	Wills removed to Courts under section 25 of the Indian Succession Act, copy being kept in Book III under section 46.	Powers-of-Attorney authenticated.	Registrations under section 25.	Registrations under section 34.	Refusals to register (sections 71 and 76).	APPEALS AGAINST SUCH REFUSALS (SECTION 77) AND APPLICATIONS UNDER SECTION 73 REGARDING SUCH REFUSALS.		Registration ordered by Civil Court (section 77).	Prosecutions (section 83).	NUMBER OF ORDERS AND CERTIFICATES FILED IN BOOK NO. I UNDER SECTION 89 OF THE REGISTRATION ACT.				Searches or applications for copies.
									Registration ordered.	Registration refused.			Under Land Improvement Loans Act.	Under Agriculturalists' Loans Act.	Under section 316, Code of Civil Procedure.	Granted by Revenue Officers.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Cachar	2	...	...	...	40	8	15	63	9	2	1	...	...	...	59	...	405
Sylhet	2	...	...	...	150	60	239	572	138	60	...	4	...	...	453	121	3,014
Khasi and Jaintia Hills ... ..	...	...	...	...	34	...	...	1	1	...	...	...	...	...	...	...	4
Total Surma Valley and Hill Districts.	4	...	...	...	233	68	254	636	148	62	1	4	...	...	512	121	3,423
Goalpara ... ..	...	...	...	...	42	...	...	6	...	...	...	...	...	...	158	...	147
Kamrup ... ..	...	...	...	...	27	...	16	17	9	...	...	...	...	...	...	5	347
Darrang ... ..	...	...	...	...	46	...	...	15	3	...	...	...	...	...	...	...	44
Nowgong ... ..	...	...	...	...	13	...	...	9	...	...	...	...	...	...	9	...	26
Sibsagar ... ..	...	...	...	...	72	...	...	85	1	...	11	...	...	...	124	...	184
Lakhimpur	1	1	8	...	33	...	...	1	1	...	...	...	...	...	...	...	35
Garó Hills ... ..	...	...	...	...	9	...	...	1	...	...	...	...	...	...	...	...	1
Total Assam Valley Districts.	1	1	8	...	302	...	16	88	14	...	11	...	...	...	391	5	764
Grand Total	5	...	8	...	535	68	270	739	162	62	12	4	...	...	803	126	4,137
Total for 1918	3	...	1	...	437	50	157	595	173	65	1	2	...	...	669	72	3,316
Total for 1917	3	1	6	...	449	50	194	734	189	84	1	2	...	...	669	74	3,413

PROVINCIAL STATEMENT A.

STATEMENT OF REGISTRATIONS, RECEIPTS AND EXPENDITURE OF EACH REGISTRATION OFFICE IN THE PROVINCE OF ASSAM DURING THE YEAR 1919.

Offices.	Total number of documents registered in Books I, III and IV.	Total amount of ordinary fees.	Total of other receipts.	Total receipts.	Total expenditure.
1	2	3	4	5	6
		Rs.	Rs.	Rs.	Rs.
Silchar ...	5,620	5,486	922	6,408	4,755
Hailakandi ..	4,036	4,158	874	5,032	2,329
Katigora ...	1,829	1,483	155	1,638	2,689
Lakhipur ...	1,049	958	96	1,054	1,109
Palonghat ...	2,618	2,359	103	2,462	1,396
Total ...	15,192	14,444	2,150	16,594	12,228
Sylhet ...	2,094	2,539	4,205	6,744	8,335
Sylhet Sadr Joint ...	4,989	4,846	1,019	5,865	2,759
Thakurbari ...	2,829	2,605	308	2,908	2,121
Habiganj ...	5,032	5,339	1,529	6,868	3,373
Sunamganj ...	4,962	4,318	453	4,771	2,355
Karimganj ...	4,452	4,286	753	5,039	2,959
South Sylhet ...	4,682	4,596	823	5,419	2,954
Balaganj ...	3,290	2,914	400	3,314	2,264
Kulaura ...	2,829	3,016	706	3,722	2,232
Madhabpur ...	3,406	2,958	339	3,297	2,606
Jaldhup ...	5,440	5,098	692	5,790	3,971
Kanaighat ...	3,412	2,174	80	2,254	1,773
Jagannathpur ...	3,334	2,800	422	3,222	2,160
Patharkandi ...	2,440	2,024	287	2,261	1,770
Baniyachang ...	4,999	3,961	396	4,357	2,930
Biswanath ...	3,538	3,043	395	3,438	2,740
Gowsinghat ...	1,953	1,189	163	1,351	1,617
Srimangal ...	2,887	2,782	412	3,194	2,143
Sukhair ...	2,347	2,082	130	2,212	1,526
Bhangabazar ...	3,385	2,928	337	3,265	2,017
Nabiganj ...	2,379	2,348	460	2,808	1,247
Total ...	74,679	67,846	14,253	82,099	55,852
Shillong ...	147	354	92	446	306
Jowai ...	68	114	9	123	77
Total ...	215	468	101	569	383
Total Surma Valley and Hill Districts ...	90,086	82,758	16,504	99,262	68,463
Dhubri ...	2,500	2,962	743	3,704	2,185
Goalpara ...	230	268	132	400	147
Total ...	2,730	3,230	874	4,104	2,332
Gauhati ...	2,215	2,357	1,327	3,684	1,650
Barpeta ...	364	359	225	584	...
Total ...	2,579	2,716	1,552	4,268	1,650
Tezpur ...	813	870	189	1,059	369
Mangaldai ...	307	377	47	424	100
Total ...	1,120	1,247	236	1,483	469
Nowgong ...	656	619	122	741	8
Total ...	656	619	122	741	8
Jorhat ...	1,829	1,777	406	2,183	1,606
Sibsagar ...	711	609	180	789	510
Golaghat ...	870	785	154	939	451
Total ...	3,410	3,171	690	3,861	2,567
Dibrugarh ...	896	1,436	535	1,971	431
North Lakhimpur ...	200	104	29	133	120
Total ...	1,096	1,540	564	2,104	551
Garó Hills ...	29	25	13	38	36
Total ...	29	25	13	38	36
Total of Assam Valley Districts ...	11,620	12,548	4,051	16,599	7,615
Grand Total ...	1,01,706	95,306	20,555	1,15,861	78,076
Total for the year 1918 ...	78,136	71,146	16,897	88,013	64,993
Total for the year 1917 ...	89,113	82,713	19,100	1,01,813	68,360

Resolution on the Administration of the Registration Department in the province of Assam for the years 1917-19.

Extract from the Proceedings of the Chief Commissioner of Assam in the General Department, No. 4771 G., dated Shillong, the 29th May 1920.

READ—

The Triennial Report on the Administration of the Registration Department in the province of Assam for the years 1917, 1918 and 1919.

RESOLUTION.

THIS report deals with the working of the Registration Department in the province of Assam for the three years ending 31st December 1919.

2. The number of offices at the end of the period under review was 41 against 39 at the close of last triennium. Two new offices were opened in the Surma Valley one of them has been made permanent.

3. The rate of pay of Special Sub-Registrars was raised from Rs. 175—5—250 to Rs. 180—10—250. The cadre of Sub-Registrars was also re-adjusted.

4. The number of documents registered was less by 1·68 per cent. than in the previous triennium, the total receipts of the department decreasing from Rs. 3,26,238 to Rs. 3,05,687. There are indications that, with the return of normal conditions, work will expand.

5. The Chief Commissioner regrets that some District Registrars and Special Sub-Registrars failed to make all the inspections due, and that Subdivisional Officers as a class were particularly remiss. He trusts that in future the rules for inspection will be observed.

The decrease in the number of unreturned documents is satisfactory.

6. While there was increase in the number of Muhammadan Registry offices, there was a decrease in the number of ceremonies registered. It is hoped that this falling-off is temporary.

ORDERED that the Resolution be published in the *Assam Gazette*.

By order of the Chief Commissioner of Assam,

A. R. EDWARDS,

Second Secretary to the Chief Commissioner of Assam.

